



**US Army Corps
of Engineers®
Albuquerque District**

PUBLIC NOTICE

Permit Application No.: SPA-1995-00131-SCO
Project Name: Southern Delivery System
Applicant: Colorado Springs Utilities
Waterway: Fountain Creek, and several tributaries, and Arkansas River
Public Notice Date: May 13, 2009
Comment Due Date: June 4, 2009
CE Contact Phone: 719-543-6915

Reply To:

Southern Colorado
Regulatory Office
US Army Corps of Engineers, Albuquerque District
200 South Santa Fe Avenue, Suite 301
Pueblo, CO 81003-4270

PERMIT APPLICATION UNDER SECTION 404 OF THE CLEAN WATER ACT (33 USC 1344)

Summary of Proposed Project: We are requesting public comment on the following project before the above comment due date. The application is for a permit to temporarily place dredged fill material as a linear underground raw water pipeline stream/wetland crossings and construction of three outfall structures in the Arkansas River and in tributary streams/wetlands, from Pueblo Reservoir Dam north to Colorado Springs, Pueblo and El Paso Counties, Colorado. The project includes construction 53 miles of 66 inch underground raw water pipelines which will cross jurisdictional waters of the U.S.; modification of the irrigation intake diversion structure at the Chilcott Ditch in Fountain Creek; construction of return water outfall structure from the proposed Williams Creek Reservoir into Fountain Creek, and an intake structure at Pueblo Reservoir dam. Approximately 0.23 acres of waters of the U.S. will be permanently filled and there will be 14 acres of temporary impacts from the stream/wetland crossings. Details of the proposed project are provided below.

Name of Applicant: Colorado Springs Utilities, Plaza of the Rockies, Third Floor, 121 S. Tejon, MC930, Colorado Springs, CO 80947;

Security Water District, 231 Security Blvd., Security, CO 80911;

City of Fountain, 116 S. Main St., Fountain CO 80817;

Pueblo West Metro District, 109 Industrial Blvd., Pueblo West, CO 81007

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Location: The project is located along a 53 mile reach within El Paso and Pueblo Counties in the Arkansas River and small streams/wetlands between Colorado Springs and Pueblo Reservoir; at the intake structure at the Chilcott Ditch adjacent to the Fountain Regional Park; in Fountain Creek south of Fountain for an outfall structure from return water flows from the proposed Williams Creek Reservoir; and the intake structure at Pueblo Reservoir dam in Pueblo County.

Description of Work: The proposed project would place raw water from Pueblo Reservoir to Colorado Springs through a 66" underground pipeline; to increase the size of the irrigation intake diversion structure of the Chilcott Ditch to allow 130-cfs to enter; to construct a return flow pipeline from the proposed Williams Creek Reservoir and outfall/scour structure for the this pipeline into Fountain Creek; and to install an outfall structure and outlet works at the Pueblo Reservoir dam. This includes pipeline crossings of the Arkansas River and small tributaries. All crossing would have temporary impacts (with re-establishment natural contours and revegetation/seeding all temporary impacts). The total area of permanent impact in waters of the U.S. is approximately 0.23 acres and temporary impacts would be 8 acres for the pipeline crossings and 4.3 acres for the outfall structures. Work is expected to begin sometime in 2010 and be completed in 2020.

Purpose and Need: The stated purpose of the project is to provide safe, reliable, and sustainable water supply for the Cities of Colorado Springs, Fountain, Security, and Pueblo West for the foreseeable future. The goals are to use developed and undeveloped water supplies to meet most or all projected future demands through 2046, and to develop additional water storage, delivery, and treatment capacity to provide system redundancy.

Related Work: The construction of two water storage facilities within the Williams Creek Basin and a water treatment facility in El Paso County.

Mitigation: The proposed project will mitigate the losses of 0.23 acres within the Fountain Creek Watershed at a ratio of 1 to 1. Mitigation for non-jurisdictional wetlands will be mitigated according to the SDS EIS requirements within the Fountain Creek Watershed.

Plans and Data: Drawings showing the location of the work site and other data are enclosed with this notice. If additional information is desired, it may be obtained from the applicant, or from:

Van Truan
U.S. Army Corps of Engineers
Southern Colorado Regulatory Office
200 South Santa Fe Avenue, Suite 301
Pueblo, CO 81003-4270
719-543-6915
Fax No. 719-543-9475

Statement of Findings: The District Engineer has consulted the National Register of Historic Places and no properties listed in the Register are present at the site of the proposed construction. Consultation with the Colorado State Historic Preservation Office (SHPO) has not revealed any pending nominations. This constitutes the extent of cultural resource investigations by the District Engineer. It is possible; however, that presently unknown archeological, scientific, prehistoric, or historic data may be inadvertently lost or destroyed by the work accomplished under the requested permit. In the event that cultural resources are

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found, the SHPO will be contacted for advice on the appropriate action to be taken.

Our preliminary review indicates this project will not impact any threatened or endangered species or critical habitat.

The applicant has applied to the Colorado Department of Public Health and Environment for certification that this work is in compliance with applicable State water quality standards. The applicant is responsible for obtaining all other required Federal, state, and local authorizations for this work.

In accordance with environmental procedures and documentation required by the National Environmental Policy Act of 1969, an environmental assessment will be prepared for this project. Upon completion, the assessment may be seen at the U.S. Army Corps of Engineers, Albuquerque District Office, at the address given above.

Comment: Any comments concerning this project should be received by the District Engineer no later than June 2, 2009. Comments received after the end of the Public Notice comment period will not be considered. However, more time may be given if a request, with a valid reason, is received prior to the suspense date. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed below. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The evaluation of the impact of this activity will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act. All factors relevant to the proposal and the cumulative effects will be considered; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

If the District Engineer determines that the project complies with the 404(b) (1) guidelines, he will grant the permit unless issuance would be contrary to the public interest.

Any person may request a public hearing. The request must be submitted, in writing, to the District Engineer within 21 days of the date of this notice and must clearly set forth the reasons for holding a public hearing.

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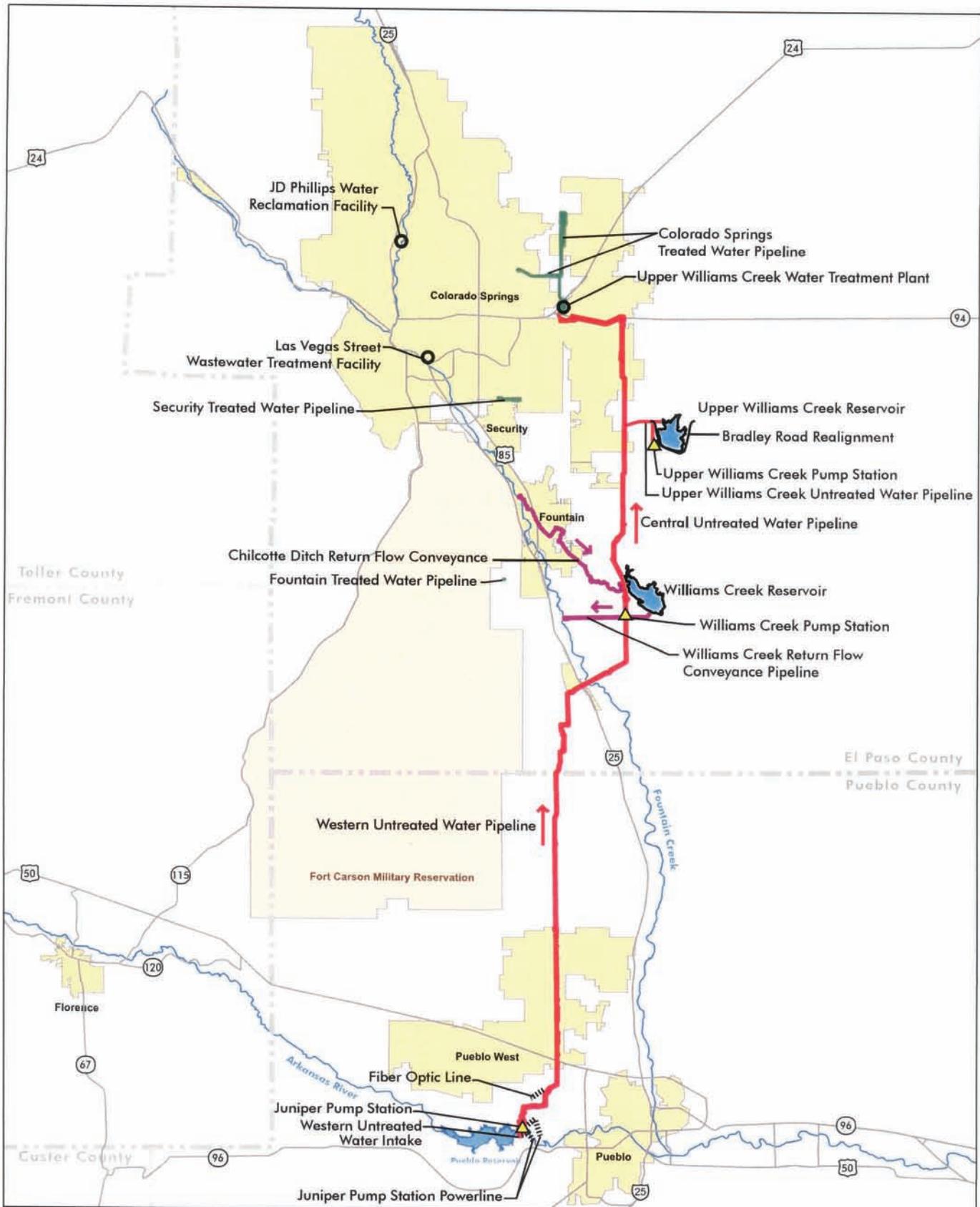
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Kimberly Colloton
Lieutenant Colonel, U.S. Army
District Commander

Enclosure

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Project: Southern Delivery System
Prepared By: ERO Resources Corp.
Date: 9/18/08

- Unreated Water Conveyance
- Treated Water Conveyance
- Return Flow Conveyance
- Reservoir
- Powerline
- ▲ Pump Station
- Water Treatment Plant
- Wastewater Treatment Plant (Not Part of SDS)

0 3 6 Miles

Southern Delivery System
Action No. SPA-2005-00131-SCO
Site Map—Pipeline alignment

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